

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

TELEBRANDS CORPORATION,

Plaintiff,

v.

BHSD TRADING LLC,

Defendant.

Civil Action No. 1:23-cv-00225-MAD-CFH

Judge Mae A. D'Agostino  
Magistrate Judge Christian F. Hummel

**PLAINTIFF TELEBRANDS CORPORATION'S  
MEMORANDUM OF LAW IN SUPPORT OF ITS MOTION TO SEAL**

Plaintiff Telebrands Corporation ("Telebrands") respectfully requests the Court to seal limited portions of its Reply Brief in support of its Motion for Damages. Specifically, Telebrands seeks to seal portions of Telebrands' Reply Brief that reference the content of the Perlmutter Declaration (Dkt. 34-12).

Regarding the Perlmutter Declaration, Defendant has indicated that the declaration contains confidential information and therefore should not have been filed publicly. Dkt. 40, 4-5. Telebrands does not believe that the Perlmutter Declaration contains any confidential information (nor does Defendant identify what, if anything, is confidential in the Perlmutter Declaration) and thus does not believe it did anything improper by filing it publicly (nor has Defendant requested the Court to seal the Perlmutter Declaration). Nonetheless, in attempting to honor Defendant's point of view that the Perlmutter Declaration contains confidential information, Telebrands respectfully requests the Court for an order sealing Telebrands' Reply Brief in effort to prevent public disclosure of any of Defendant's allegedly confidential information and any resulting prejudice to Defendant. *See, e.g., AngioDynamics, Inc. v. C.R.*

*Bard, Inc.*, No. 1:17-cv-00598-BKS-CFH, 2021 WL 2403107, \*1, (N.D.N.Y. Jun. 11, 2021) (granting motion to seal exhibits containing “confidential sales and market share information”).

This motion is narrowly tailored to request sealing of only the allegedly confidential material from the Perlmutter Declaration that, if revealed, would allegedly provide an unfair advantage to competitors of Defendant.

DATED: September 13, 2024

Respectfully submitted,

/s/ Michael J. Zinna

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Telebrands Corporation***